



**MINUTES OF THE SPECIAL MEETING**  
**OF THE**  
**BOARD OF EDUCATION**  
**July 27, 2020**  
**Special Meeting 6:00 p.m.**

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**Board Members Present:** Mr. Ron Freitas, President; Mrs. Susan Macfarlane, Vice President; Mr. Courtney Porter, Clerk; Mr. Ron Heberle; Mr. Gary Knackstedt; Mr. Joe Nava and Mr. George Neely

**Administrative Staff:** Dr. Cathy Washer, Superintendent and Mr. Leonard Kahn, Chief Business Officer

**Meeting Recorder:** Mrs. Valerie McFee, Executive Assistant to the Superintendent

**Call to Order**

The meeting was called to order at 5:30 p.m. at the James Areida Education Support Center, 1305 East Vine Street, Lodi, CA 95240 and via YouTube.

**Public Comment on Closed Session Items**

No public comments were received prior to Closed Session.

**Adjourn to Closed Session**

The Board adjourned to Closed Session.

**Reconvene Open Session**

The meeting was reconvened at 6:10 p.m. Attendance was recorded and Vice President Macfarlane led in reciting the Pledge of Allegiance.

**Report on Actions from Closed Session**

President Freitas reported the following action was taken in Closed Session:

**Closed Session Personnel Matters:**

Mr. Nava moved, Mr. Knackstedt seconded, and the Board voted unanimously to approve the appointment of Rogelio Jaime as Elementary Vice Principal, starting date, and location to be determined.

Mrs. Macfarlane moved, Mr. Knackstedt seconded, and the Board voted unanimously to approve the appointment of Preeti Raheja as Elementary Vice Principal, starting date, and location to be determined.

**Action Items**

**Item A-1 Proposed Revisions to Board Policy and Rule 6158 Independent Study to be in Compliance with California AB 130**

Superintendent Washer explained that this Board policy and rule are being revised as a result of new legislation which was part of the budget trailer bill, noting the revision needs to be in place prior to the start of the school year. Jeff Palmquist, Assistant Superintendent, Secondary Education, noted that this was a group effort with Dominee Muller-Kimball, Principal, Independence School; Allen Dosty, Coordinator, Child Welfare & Attendance; and Stacy Kahn, Principal, Valley Robotics Academy. Mr. Palmquist stated that the District is in a good place to pivot, as most procedures are already in place.

Board Comments

Mr. Neely asked for confirmation that this revision is not going to affect teachers in regular programs (non-Independent Study classrooms). Dr. Washer confirmed this as correct.

Michelle Orgon, President, Lodi Education Association (LEA), confirmed her understanding that this is changing the Independent Study model only.

Superintendent Washer added that the District has also sent a message to staff regarding this issue.

Discussion ensued.

Mr. Porter asked how CP(college prep)/non-CP will work with Independent Study. Dr. Muller-Kimball responded to the question. Mr. Porter thanked Dr. Muller-Kimball and asked if the District could offer some administrative assistance to Dr. Muller-Kimball to alleviate some of her workload responsibilities.

Public Comments

Michelle Orgon, President, Lodi Education Association

Mr. Nava moved, Mr. Neely seconded, and the Board voted unanimously to approve Item A-1 Proposed Revisions to Board Policy and Rule 6158 Independent Study to be in Compliance with California AB 130.

**Item A-2 Board Discussion and Direction to Staff Regarding California Department of Public Health (CDPH) Requirements for Schools Including Mask Enforcement**

Superintendent Washer opened the discussion by presenting the guidelines and requirements from CDPH. The guidelines require all students to wear a mask indoors at school; adults are required to wear a mask indoors when students are present. She stated the District recommends following these guidelines, as the District is mandated to follow state health orders.

Paul Gant, Attorney, explained the possible consequences the District could face for violating the mandate and outlined the liability risks.

Leonard Kahn, Chief Business Officer, presented multiple scenarios involving the risk of potential liability and consequences to the District for not complying with the mandate.

Discussion ensued.

Public Comments

Jennifer Krengel, Community Member

Unknown Speaker (inaudible)

Marielle Petricevich, Music Teacher, Lodi USD

Lisa Wilkins, Teacher, Morada Middle School

Ashley Fleck, Parent

Jeremy Duncan, Parent

Kenneth Wheeler, Parent

Jenny Miller, Community Member

Cord Beerman, Parent

Anne Rogers, Parent

Natalie Ferriolio, Community Member

Stacey Dukes, Parent

Tom Moccia, Parent

Kris Carpenter, Parent

Debbie Wheeler, Parent

Terri Piper, School Playground/Cafeteria Monitor, Vinewood Elementary School

Aracely Flores, Parent

Scott Woznick, Teacher, Needham West School

Michelle Grupe, Community Member

Mark Kirsten, Community Member

Janessa Weller, Paraeducator-Severely Handicapped, Victor Elementary School

Andrea Moccia, Parent

Brad Christy, Community Member

Superintendent Washer stated the District will take a tiered approach to meet the mandate. Strategies to support the tiered approach include providing face masks to those who do not have one; social distancing (3 feet) in classrooms for students without a mask; use of desk shields; administrator and student meetings; communication to parents; meetings with parents; letter sent home to parents with presentation of options for alternative learning environments.

Mr. Porter inquired as to the position of LEA.

Michelle Orgon, LEA President, stated the position of LEA is to follow the guidelines for the safety of students and educators.

Mr. Knackstedt recommended that the District follow the CDPH guidelines and ask administrative staff to determine how we can enforce this mandate. He would like the information to be posted to the District website prior to the start of school.

#### **Adjourn and Return to Closed Session**

The Board adjourned to Closed Session.

#### **Reconvene Open Session**

The meeting was reconvened at 9:00 p.m.

#### **Report on Actions from Closed Session**

President Freitas reported the following action was taken in Closed Session:

##### **Conference with Legal Counsel – Anticipated Litigation – One Potential Case:**

In a vote of 4 to 2, Board gave direction to staff to approve payment of costs with Board Members Macfarlane, Neely, Heberle and Freitas voting to approve and Board Members Nava and Knackstedt in opposition.

#### **Adjourn**

The meeting was adjourned at 9:01 p.m.